

Testimony before the Judiciary Committee

March 23, 2012

In Support of

**HB NO. 5546 AN ACT CONCERNING SENTENCE MODIFICATION FOR JUVENILES
SB NO. 417 AN ACT CONCERNING JUVENILE MATTERS AND PERMANENT GUARDIANSHIPS**

Good afternoon, Senator Coleman, Representative Fox and members of the Judiciary Committee. My name is Daniela Giordano, and I am the Public Policy Director for the National Alliance on Mental Illness, CT (NAMI-CT). I am here today on behalf of NAMI-CT to testify in support of both HB 5546, An Act Concerning Sentence Modification for Juveniles and SB 417, An Act Concerning Juvenile Matters and Permanent Guardianships.

I would like to thank the Committee for raising HB 5546. This bill would direct the Sentencing Commission to study the feasibility of creating a procedure to allow juvenile offenders serving lengthy sentences a meaningful opportunity, after service of a portion of the sentence, to obtain release before the end of that term by demonstrating increased maturity and rehabilitation.

About a quarter of all children have an emotional-behavioral disorder. However, only about twenty percent of these children have reliable access to mental health services for their disorders. Many of the behaviors that lead children to commit crimes – especially impulsive, risk-taking behaviors and behaviors involving peer pressure—are all too often the result of unmet behavioral and mental health needs. For example, 65-70% of youth in juvenile detention have a diagnosable behavioral health condition.¹ Implementing a “second look” procedure for juvenile offenders provides an opportunity for the justice system to take into consideration the mental health status of offenders and whether they have had an opportunity to seek rehabilitation and treatment while serving a portion of their sentences.

NAMI-CT supports SB 417, An Act Concerning Juvenile Matters and Permanent Guardianships. Specifically, we support the provision in Section 15 that would eliminate automatic transfers from the juvenile docket to the regular criminal docket for class B felony cases. In practice, less than half of class B felonies actually get transferred to the regular criminal docket. Accordingly, as the court system is already using their discretion to determine whether to prosecute a juvenile in the regular criminal docket, Connecticut State Statutes should also recognize that the adult court system is not always the best place for these young offenders. We must recognize that age is a mitigating factor and take into consideration potential findings of mental illness or intellectual disability.

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¹ Shufelt, J.S. & Cocozza, J.C. (2006). *Youth with mental health disorders in the juvenile justice system: Results from a multi-state, multi-system prevalence study*. Delmar, NY: National Center for Mental Health and Juvenile Justice; Teplin, L., Abram, K., McClelland, G., Dulcan, M., & Mericle, A. (2002). *Psychiatric disorders in youth in juvenile detention*. *Archives of General Psychiatry*, 59, 1133-1143.